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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/967,052	09/28/2001	Kenneth L. Oakeson	10010793-1	4826

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

CHANG, JUNGWON

ART UNIT	PAPER NUMBER
2154	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/30/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/967,052

Applicant(s)

OAKESON ET AL.

Examiner

Jungwon Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/10/06.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-11 and 18-23 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 1-3 and 5-11 is/are allowed.
6) ☒ Claim(s) 18-23 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

FINAL ACTION

1. This Action is in response to amendment filed on 11/10/2006. Claims 4, 12-17, 24 and 25 have been canceled. Claims 1-3, 5-11 and 18-23 are presented for examination.

2. Claims 1-3 and 5-11 are allowed.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 18-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Liming (US 2002/0055924).

5. As to claim 18, it is rejected for the same reasons set forth in claim 9 above.

In addition, Liming discloses a method of discovering local devices comprising:

acquiring a unique identifier that is associated with a location for which corresponding devices including a first device and a second device are desired to be

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discovered (figs. 4-9, 12-13; page 2, 0014-0017; page 6, 0082-0084; page 10, 0125-0127);

sending a message from the first device containing the unique identifier over a network and to an entity from which the devices can be discovered (figs. 4-9, 12-13; page 2, 0014-0017; page 6, 0082-0084; page 10, 0125-0127);

receiving a reply from the entity, the reply containing a list of available devices for the location including the second device, wherein the devices acquired the unique identifier at the location and reported acquisition of the unique identifier to the entity (figs. 4-9, 12-13; page 2, 0014-0017; page 6, 0082-0084; page 10, 0125-0127; page 13, 0158).

6. As to claim 19, Liming discloses wherein said acquiring comprises receiving manually entered data comprising the unique identifier (page 5, 0066, "from automatic to manual").

7. As to claim 20, Liming discloses wherein said acquiring comprises automatically entered data comprising the unique identifier (page 5, 0066, "default automatic mode").

8. As to claim 21, Liming discloses wherein said acts of sending and receiving comprises doing so via the Internet (202, fig. 1).

9. As to claim 22, it is rejected for the same reasons set forth in claim 18 above. In addition, Liming discloses one or more computer-readable media having computer-readable instructions thereon which, when executed by one or more processors (page 10, 0125; page 14, 0172).

10. As to claim 23, Liming discloses a client device embodying the one or more computer-readable media (page 10, 0125; page 14, 0172).

11. Applicant's arguments filed on 11/6/06 have been fully considered but they are not persuasive.

(1) Applicants argued, on page 12 of the remarks that Liming fails to teach or suggest that a reply is sent to a client device with a list of available devices for the current location of the client device.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a reply is sent to a **client device** with a list of available devices **for the current location of the client device**) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, Liming discloses receiving a reply from the entity, the reply containing a list of available devices for the location including the second device (figs.

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10-11, "system 100 processes the request...system 100 conducts a location context service search of service database 208...system 100 displays search results and possibly ad content on user interface 104 as a list..."; figs. 4-page 2, 0014-0018, "when a receiver or other devices is determined to be within a geographic region, audio, video, or other sensory-stimulating content can be presented...presented content can include...user-requested content"; page 6, 0078-0084; page 10, 0125-0131; page 13, 0158).

(2) Applicants argued, on page 12 of the remarks that Liming fails to teach or suggest at least "acquiring a unique identifier that is associated with a location for which corresponding devices including a first and second device are desired to be discovered."

In response to applicant's argument, applicant fails to consider the teachings of Liming reference. Liming explicitly discloses acquiring a unique identifier that is associated with a location for which corresponding devices including a first device and a second device are desired to be discovered (figs. 4-9, 12-13; page 2, 0014-0017; page 6, 0078-0084, "service_table can contain a list of categorized or classified services and their geographic location and or/availability...Service table may store information about Service Identifiers, Service Location Identifiers, Service Type, or Service Class or category Subclasses..."; page 10, 0125-0131).

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is 571-272-3960. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

January 19, 2007



JUNGWON CHANG
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100